
DELEGATION OF AUTHORITY – TOXIC SUBSTANCES CONTROL ACT

12-1. Inspections and Subpoenas

1. **PURPOSE:** This Order redelegates certain authorities conferred on the Regional Administrator by Delegation 12-1 of the EPA Delegations Manual.

2. **AUTHORITY.** Pursuant to the Toxic Substances Control Act, including Section 11:

a. To inspect any establishment, facility, or other premises in which chemical substances, mixtures, or articles containing chemical substances or mixtures, are manufactured, processed, stored, or held before or after their distribution in commerce, and any conveyance being used to transport chemical substances, mixtures, or such articles in connection with distribution in commerce.

b. To obtain and execute warrants for the purpose of performing inspections and conducting information gathering.

c. To carry out any other inspection and information gathering activities authorized by the TSCA.

d. To require the carrying out of any other inspection and information gathering activities authorized by the TSCA.

e. To require by subpoena the attendance and testimony of witnesses and the production of reports, papers, documents, answers to questions, and other information.

f. To designate representatives of the Administrator to perform the functions in subparagraphs 2.a, 2.b, 2.c, 2.d, and 2.e.

3. **TO WHOM REDELEGATED:**

a. The director of the Division of Enforcement and Compliance Assistance, and the director of the Caribbean Environmental Protection Division.

b. The authorities in 2.a., 2.c. and 2.d, and the authority in 2.b. with respect to executing warrants are hereby redelegated to the director of the Division of Environmental Science and Assessment.

ORDER

R-1200

4. LIMITATIONS:

a. Redelegates must obtain the advance concurrence for legal sufficiency from regional counsel prior to requesting warrants or issuing subpoenas.

b. CEPD officials and staff may exercise redelegated authority only in Puerto Rico and the U.S. Virgin Islands.

5. FURTHER REDELEGATION:

a. The authorities specified in 2.a., and 2.c., and also the authority specified in 2.b with respect to executing warrants are hereby further redelegated through intervening supervisors and team leaders, as applicable, to credentialed staff assigned to exercise these authorities in the Pesticides and Toxics Substances Branch in DECA, the Multi-media Permits and Compliance Branch in CEPD, and the Monitoring and Assessment Branch in DESA, and may not be redelegated further.

b. The authorities specified in 2.d. and 2.f. are hereby further redelegated to the chiefs of PTSB in DECA, MPCB in CEPD, and MAB in DESA, and may not be redelegated further.

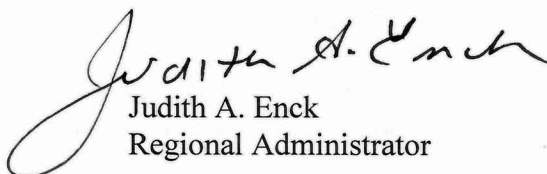
c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

6. ADDITIONAL REFERENCES:

a. Sections 11(a)-(c) of the TSCA.

b. U.S. Environmental Protection Agency Order 3510, "EPA Federal Credentials for Inspections and Enforcement of Federal Environmental Statutes and Other Compliance Responsibilities."

7. SUPERSESSION: This redelegation supersedes Regional Order R-1200 (redelegation of 12-1), dated July 22, 1992.



Judith A. Enck
Regional Administrator